

Application No.: 10/010254  
Group Art Unit: 1732

Docket No.: SIW-025

REMARKS

In the foregoing claim amendments, claims 1-8 are canceled and claim 10 is amended. Now pending in the application are claims 9-13, of which claim 9 is independent. The following comments address all stated issues and place the presently pending claims, as identified above, in condition for allowance.

Patentable Subject Matter

Claim 9 is allowed. Applicants appreciate the Examiner's allowance of the claim.

Claim Amendments

Applicants amend claim 10 to depend from allowed claim 9. Claim 10 is amended to correct a typographical error. No new matter is added. Applicants therefore request that the claim amendments be entered and considered.

Claim Rejections under 35 U.S.C. §103

Claims 1-8 and 10-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,649,097 in view of U.S. Patent No. 3,619,458. Applicants respectfully traverse the rejection for the following reasons.

In the foregoing claim amendments, Applicants cancel claims 1-8 and amend claim 10 to depend from allowed claim 9. Claims 10-13 now depend directly or indirectly from allowed claim 9. In light of the foregoing claim amendments, Applicants submit that the rejection of claims 1-8 and 10-13 is moot, and request that the Examiner pass claims 10-13 to allowance.

Double Patenting Rejection

Claims 1-13 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of copending

Application No.: 10/010254  
Group Art Unit: 1732

Docket No.: SIW-025

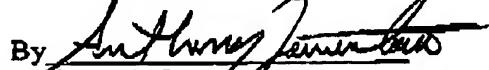
application No. 10/000,460. Applicants submit a Terminal Disclaimer in compliance with 37 C.R.F. 1.321(c) to overcome the obviousness-type double patenting rejection. In light of the Terminal Disclaimer, Applicants request that the Examiner withdraw the rejection of claims 1-13 under the doctrine of obviousness-type double patenting.

Conclusion

In view of the above, Applicants believe the pending application is in condition for allowance. Applicants believe \$1,380.00 is due with this statement and herewith requests an extension of time. If an additional fee is due, the Examiner is authorized to debit account no. 12-0080 under SIW-025.

Dated: July 22, 2005

Respectfully submitted,

By   
Anthony A. Laurenzano  
Registration No. 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicant